REMARKS

Claims 1-31 are pending in the present application. Claims 1-31 have been examined and are rejected. In the above amendments, claims 1-3, 6, 8-11, 18, 20-24, 26 and 31 have been amended, and new claims 32-35 have been added. Therefore, after entry of the above amendments, claims 1-35 will be pending in this application. Applicant believes that the present application is now in condition for allowance, which prompt and favorable action is respectfully requested.

Rejection of Claims 1, 4, 8 12-14, 20 and 21 Under 35 U.S.C. §102(b)

Claims 1, 4, 8 12-14, 20 and 21 stand rejected under 35 U.S.C. §102(b) as being anticipated by Douthitt *et al* (U.S. Patent No. 5,524,280).

Douthitt discloses a method of acquiring a channel in a general frequency reuse system. The method includes (1) fast scanning a predetermined list of data channels to identify a fast scanned channel, (2) if the fast scanned channel is not identified, intermediate scanning the predetermined list of data channels to identify an intermediate scanned channel, and (3) if the intermediate scanned channel is not identified, slow scanning the predetermined list of data channels to identify a slow scanned channel. (See the Abstract, column 5, lines 41-43, column 6, lines 65-67, and column 8, lines 24-28.) The fast, intermediate, and slow scanning are performed on the same predetermined list of data channels. The fast scanning evaluates each data channel for a short scan period and can acquire a channel with a high transmit duty cycle. (See column 5, lines 43-48). The intermediate scanning evaluates each data channel for an intermediate scan period and can acquire a channel with a moderate transmit duty cycle. (See column 6, line 65 to column 7, line 4). The slow scanning evaluates each data channel for a long scan period and can acquire a channel with a minimum transmit duty cycle. (See column 8, lines 29-33).

Claim 1 of the present invention, as amended, recites:

> "A wireless device in a wireless communication system, comprising:
>
> a receiver unit operative to perform a full power scan on an entire list of radio frequency (RF) channels of interest for cell selection, perform a partial power scan on a first list of RF channels for cell reselection, and provide received signal strength measurements for the RF

> channels in the first list, wherein the first list includes RF channels on which to search for a suitable cell from which communication service may be received, and wherein the first list includes fewer than all RF channels in the entire list evaluated for cell selection; and
>
> a controller operative to obtain a second list of at least one RF channel selected from among the RF channels in the first list, initiate processing of the at least one RF channel in the second list to find the suitable cell, and select the suitable cell, if found, as a new serving cell from which to receive service."

Applicant submits that claim 1 is not anticipated by Douthitt for at least the following reasons.

First, Douthitt does not disclose "a receiver unit operative to perform a full power scan ... for cell selection, perform a partial power scan ... for cell reselection,..." as recited in claim 1. Paragraph [1006] states "a terminal performs cell selection to find the most suitable cell that the terminal can camp on and receive communication service. ... The terminal may thereafter perform cell reselection to select another suitable cell to receive service." Claim 1 recites two power scans for two different purposes - cell selection (e.g., at power on) and cell reselection (e.g., if a better cell is found or the current serving cell becomes unsuitable). Douthitt does not disclose this feature of claim 1.

Second, Douthitt does not disclose "a receiver unit operative to perform a full power scan on an entire list of radio frequency (RF) channels of interest for cell selection, perform a partial power scan on a first list of RF channels for cell reselection,... wherein the first list includes fewer than all RF channels in the entire list," as recited in claim 1. The partial power scan on the first list of RF channels, which is a subset of the entire list of RF channels of interest, may reduce the amount of time to find a suitable cell. In contrast, Douthitt discloses scanning the same predetermined list at three different scan rates to attempt to acquire a data channel.

For at least the above reasons, Applicant submits that claim 1 is not anticipated by Douthitt. Independent claim 8, 20 and 21 have been amended to recite the features noted above for claim 1. Claim 4 is dependent on claim 1. Claims 12-14 are dependent on claim 8. These claims are not anticipated by Douthitt for at least the reasons noted for claim 1.

Accordingly, the §102(b) rejection of claims 1, 4, 8 12-14, 20 and 21 should be withdrawn.

Rejection of Claims 2, 3, 7 10, 11, 18, 19, 22, 23 and 31 Under 35 U.S.C. §103(a)

Claims 2, 3, 7 10, 11, 18, 19, 22, 23 and 31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Douthitt *et al* in view of Otting *et al* (U.S. Patent No. 6,771,960). The rejection indicates that Douthitt discloses the features of independent claims 1 and 8, and that Otting discloses the additional features recited in claims 2, 3, 7 10, 11, 18, 19, 22, 23 and 31.

Independent claims 22, 23 and 31 have each been amended to recite the features noted above for claim 1. Douthitt does not disclose all of the elements of independent claims 1, 8, 22 and 23 for the reasons noted above. Hence, Douthitt is an insufficient basis for the §103(a) rejection of claims 2, 3, 7 10, 11, 18, 19, 22, 23 and 31.

Accordingly, the §103(a) rejection of claims 2, 3, 7 10, 11, 18, 19, 22, 23 and 31 should be withdrawn.

Rejection of Claims 5, 6, 9, 15-17 and 24-30 Under 35 U.S.C. §103(a)

Claims 5, 6, 15-17 and 24-30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Douthitt *et al* in view of Otting *et al* and further in view of Gaastra (U.S. Patent No. 6,327,469).

Claim 9 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Douthitt *et al* in view of Otting *et al* and further in view of Escamilla *et al* (U.S. Patent No. 6,389,285).

The rejection indicates that the combination of Douthitt and Otting discloses the features of the base claims for claims 5, 6, 9, 15-17 and 24-30 and that Gaastra and Escamilla discloses the additional features recited in claims 5, 6, 9, 15-17 and 24-30.

The combination of Douthitt and Otting does not disclose all of the elements of the base claims of claims 5, 6, 9, 15-17 and 24-30, for the reasons noted above, and is thus an insufficient basis for the §103(a) rejection of claims 5, 6, 9, 15-17 and 24-30.

Accordingly, the §103(a) rejection of claims 5, 6, 9, 15-17 and 24-30 should be withdrawn.

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New Claims

New claims 32-35 recite additional features of the invention. Claims 32-35 are supported, e.g., by FIG. 3 and are not anticipated by Douthitt for at least the reasons noted above for claim 1.

CONCLUSION

In light of the amendments contained herein, Applicant submits that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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